



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHADWICK MCQUEEN and THE TERRY MCQUEEN  
TESTAMENTARY TRUST,

Plaintiff,

-V-

CLOTHING COMPANY S.P.A., BELSTAFF USA CORP.,  
and BELSTAFF INTERNATIONAL LTD.

Defendants.

**CERTIFICATE OF MAILING**

08 CV 3019 (LTS)

I, J. Michael McMahon, Clerk of Court for the Southern District of New York, do hereby certify that on the

**28<sup>th</sup> day of March, 2008**

I served the

Summons & Complaint

pursuant to the Federal Rule of Civil Procedure 4 (f) (2) (c) (ii) filed and issued herein on the,

**25<sup>th</sup> day of March, 2008**

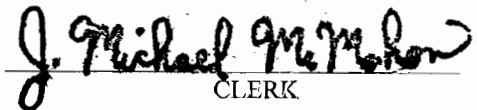
by mailing via Federal Express, in the Federal Express mail drop box located at 500 Pearl Street, NY, NY, a copy of each thereof, securely enclosed in a Federal Express envelope with a prepaid international airbill addressed to:

See attached for listing of Defendants

Federal Express International Air Waybill Tracking Number:

**7984 0628 7840**

Dated: New York, NY

  
CLERK

**quinn emanuel trial lawyers | new york**

51 Madison Avenue, 22nd Floor, New York, New York 10010 | TEL 212-849-7000 FAX 212-849-7100

WRITER'S DIRECT DIAL NO.  
**(212) 849-7141**

WRITER'S INTERNET ADDRESS  
**toddanten@quinnemanuel.com**

March 28, 2008

J. Michael McMahon  
Clerk of Court  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: Chadwick McQueen and The Terry McQueen Testamentary Trust v. Clothing Company S.p.A., Belstaff USA Corp., and Belstaff International Ltd., 08 CV 3019

Dear Mr. McMahon:

I respectfully request the following documents to be served by you pursuant to Rule 4(f)(2)(C)(ii) of the Federal Rules of Civil Procedure and the Foreign Sovereign Immunities Act on foreign defendants Clothing Company S.p.A. and Belstaff International Ltd.: (1) the summons for each defendant; (2) the complaint; (3) individual practices of Judge Swain; and (4) individual practices of Magistrate Judge Ellis. Copies of these documents are enclosed. Also enclosed are pre-paid FedEx envelopes addressed to each defendant. The defendants' addresses are:

Clothing Company S.p.A.  
via Bonisiolo 15  
Zerman di Mogliano Veneto (TV)  
31020, Italy

Belstaff International Ltd.  
via Bonisiolo 15  
Zerman di Mogliano Veneto (TV)  
31020, Italy

Sincerely,



Todd Anten

Enclosures

**quinn emanuel urquhart oliver & hedges, llp**

LOS ANGELES | 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017 | TEL 213-443-3000 FAX 213-443-3100  
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61179/2447135.1

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of NEW YORK

CHADWICK MCQUEEN and THE  
TERRY MCQUEEN TESTAMENTARY  
TRUST,

Plaintiffs

V.

CLOTHING COMPANY S.P.A.,  
BELSTAFF USA CORP., and BELSTAFF  
INTERNATIONAL LTD.

Defendants

SUMMONS IN A CIVIL ACTION

CASE NUMBER

08 CV 3019

JUDGE SWAIN

TO: (name and address of Defendant)

Clothing Company S.p.A.  
via Bonisiolo 15  
Zerman di Mogliano Veneto (TV)  
31020, Italy

Belstaff USA Corp.  
C/O Corporation Service Company  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

Belstaff International Ltd.  
via Bonisiolo 15  
Zerman di Mogliano Veneto (TV)  
31020, Italy

**YOU ARE HEREBY SUMMONED** as required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert L. Raskopf, Esq.  
Todd Anten, Esq.  
Quinn Emanuel Urquhart Oliver & Hedges, LLP  
51 Madison Avenue, 22nd Floor  
New York, New York 10010

AO 440 (Rev. 8/01) Summons in a Civil Action

an answer to the complaint which is served on you with this summons, with TWENTY days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

**MAR 25 2008**

DATE

*W. Marcos Quintero*

(By) DEPUTY CLERK

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>1</sup>		DATE
NAME OF SERVER ( <i>PRINT</i> )		TITLE
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted		
<input type="checkbox"/> Other (specify)		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		

<sup>1</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

**OFFICE COPY**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**JUDGE SWAIN**

CHADWICK MCQUEEN and THE TERRY  
MCQUEEN TESTAMENTARY TRUST,

Plaintiffs,

**VS.**

CLOTHING COMPANY S.P.A., BELSTAFF USA  
CORP., and BELSTAFF INTERNATIONAL LTD.,

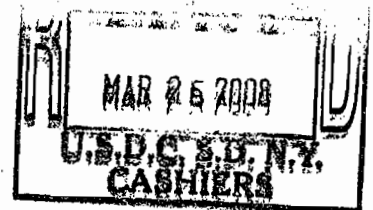
Defendants.

08 CV 3019

Case No.: \_\_\_\_\_

## COMPLAINT

## DEMAND FOR JURY TRIAL



Plaintiffs Chadwick McQueen and The Terry McQueen Testamentary Trust

(collectively, the “McQueen Heirs” or “Plaintiffs”), by their attorneys Quinn Emanuel Urquhart Oliver & Hedges, LLP, as and for their Complaint against defendants Clothing Company S.p.A., Belstaff USA Corp., and Belstaff International Ltd. (collectively, “Belstaff” or “Defendants”), allege as follows:

**PRELIMINARY STATEMENT**

1. This action arises from Defendants' willful and brazen unauthorized use of the name, image, signature, and likeness of legendary actor and icon Steve McQueen, thereby jeopardizing the goodwill and value that the true owners of Steve McQueen's publicity and trademark rights—his heirs—have developed and protected through enormous effort since his untimely death in 1980. On behalf of Steve McQueen's heirs, Plaintiffs seek damages, injunctive relief, and other relief for false representation, false designation of origin, trademark infringement, unfair competition, false advertising, and infringement of the right of publicity knowingly and willfully committed by Defendants in violation of the laws of the United States and various states including the States of California and New York.



April 15, 1999

**INDIVIDUAL PRACTICES OF  
MAGISTRATE JUDGE RONALD L. ELLIS**

Unless otherwise ordered by Judge Ellis, matters before Judge Ellis shall be conducted in accordance with the following practices. These practices are applicable to matters before Judge Ellis if the matter is within the scope of the District Judge's Order of Reference or if the case is before Judge Ellis pursuant to the parties' consent under 28 U.S.C. Sec. 636(c). Otherwise, the practices of the District Judge to whom the case is assigned apply:

**1. Communications With Chambers**

**A. Letters.** Except as otherwise provided below, communications with chambers shall be by letter, with copies simultaneously delivered to all counsel. Copies of correspondence between counsel shall not be sent to the Court.

**B. Telephone Calls.** In addition to Paragraph 1(D) below, telephone calls to chambers are permitted. For matters other than docketing, scheduling or calendaring, call chambers at 212-805-0242.

**C. Faxes.** Faxes to chambers are not permitted.

**D. Docketing, Scheduling, and Calendar Matters.** For docketing, scheduling and calendar matters, call Debbie Smith at 212-805-0242 between 10:00 A.M. and 4:00 P.M.

**E. Requests for Adjournments or Extensions of Time.** All requests for adjournments or extensions of time must state (1) the original date, (2) the number of previous requests for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent. If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Scheduling Order (reflecting only business days) must be attached. If the request is for an adjournment of a court appearance, absent an emergency it shall be made at least 48 hours prior to the scheduled appearance.

**2. Motions**

**A. Pre-Motion Conferences in Civil Cases.** For discovery motions, follow Local Civil Rule 37.2. For motions other than discovery motions, a pre-motion conference is not required.

**B. Courtesy Copies.** Courtesy copies of all motion papers, marked as such, should be submitted to chambers.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN

*The following Individual Practices Rules apply to all civil and criminal matters pending before Judge Swain on and after December 12, 2007.*

Unless otherwise ordered by Judge Swain, matters before Judge Swain shall be conducted in accordance with the following practices:

**1. Communications with Chambers**

**A. Letters.** Except as otherwise provided below, communications with Chambers shall be by letter, with copies delivered simultaneously to all counsel. All correspondence must be labeled with the name and docket number of the case, the Judge's initials (LTS), and (for civil cases) the Magistrate Judge's initials. Copies of correspondence between counsel shall not be sent to the Court. Prior to requesting judicial action, the requesting counsel shall consult with all other parties in an effort to obtain their consent to the request. The letter to the Court shall confirm that such effort has been made and shall indicate whether the request is being made on consent. See also Paragraph 2.B. below.

**B. Telephone Calls.** Except as provided in Paragraph D. below, telephone calls to Chambers are permitted only in emergency situations requiring immediate attention. In such situations only, call Chambers at (212) 805-0417.

**C. Faxes.** Faxes to Chambers are permitted only if copies are also faxed or delivered simultaneously to all counsel. No document longer than five (5) pages may be faxed without prior authorization. Do not follow with hard copy. The fax number is (212) 805-0426.

**D. Docketing, Scheduling, and Calendar Matters.** For docketing, scheduling and calendar matters, call Mrs. Lisa Ng at (212) 805-0424.

**E. Requests for Adjournments or Extensions of Time.** All requests for adjournments or extensions of time must be made in writing, with copies to all other counsel and/or unrepresented parties, and must state (1) the original date, (2) the number of previous requests for adjournment or extension, (3) whether these previous requests were granted or denied, and (4) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent. *If the requested adjournment or extension affects any other scheduled dates, a proposed Revised Scheduling Order must be attached.* If the request is for an adjournment of a court appearance, absent an emergency it must be made at least 48 hours prior to the scheduled appearance.

**quinn emanuel trial lawyers | new york**

51 Madison Avenue, 22nd Floor, New York, New York 10010 | TEL 212-849-7000 FAX 212-849-7100

WRITER'S DIRECT DIAL NO.  
**(212) 849-7141**

WRITER'S INTERNET ADDRESS  
**toddanten@quinnemanuel.com**

March 28, 2008

J. Michael McMahon  
Clerk of Court  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: Chadwick McQueen and The Terry McQueen Testamentary Trust v. Clothing Company S.p.A., Belstaff USA Corp., and Belstaff International Ltd., 08 CV 3019

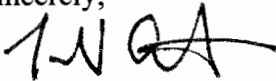
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Sincerely,



Todd Anten

Enclosures

**quinn emanuel urquhart oliver & hedges, llp**

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SILICON VALLEY | 555 Twin Dolphin Drive, Suite 560, Redwood Shores, California 94065 | TEL 650-801-5000 FAX 650-801-5100

61179/2447135.1



From: Origin ID: NBPA (212) 849-7000  
 Todd Anten  
 Quinn Emanuel Trial Lawyers  
 51 Madison Ave 22nd FLR

New York, NY 10010  
 UNITED STATES

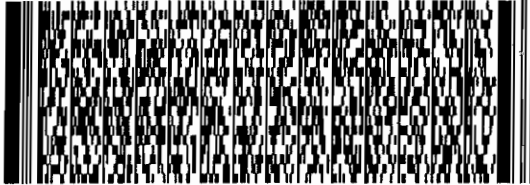


Ship Date: 27MAR08  
 ActWgt: 0.5 LB  
 System#: 7756693/WBUS0200  
 Account#: S \*\*\*\*\*

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 DESC-1: Summons and complaint.  
 DESC-2:  
 DESC-3:  
 DESC-4:  
 EEI: NO EEI 30.37(a)  
 COUNTRY MFG: US  
 CARRIAGE VALUE: .00 USD  
 CUSTOMS VALUE: USD  
 T/C: S 364962304 D/T: S  
 SIGN: Todd Anten  
 EIN/VAT:

SHIP TO: 390415972311 BILL SENDER  
 Clothing Company S.p.A.  
 Clothing Company S.p.A.  
 via Bonisiolo 15

Zerman di Mogliano V, 31020  
 IT



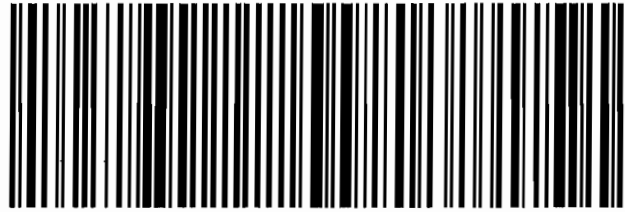
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 0430

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3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.



<i>package id</i>	<i>from</i>	<i>vendor</i>
0009284	Todd Anten (01604)	FedEx
<i>ship date</i>	Quinn Emanuel Trial	<i>tracking number</i>
Thu, Mar 27	Lawyers	798406287840
<i>to</i>	51 Madison Ave 22nd FLR	<i>service</i>
Clothing Company S.p.A.	New York , NY 10010 US	FedEx International Priority
Clothing Company S.p.A.		<i>packaging</i>
via Bonisiolo 15	<i>billing</i>	FedEx Envelope
Zerman di Mogliano	Corbis.McQueen Estate	<i>signature</i>
Veneto TV , 31020 IT	(01996.61179)	Direct signature - at
390415972311	<i>operator</i>	address
<i>residential address</i>	Michael Levick	
No	2128497134	<i>contents</i>
<i>return label</i>	michaellevick@quinnemanu	Documents
No	el.com	Summons and complaint.
	<i>create time</i>	<i>courtesy quote</i>
	03/27/08, 2:43PM	27.79
<i>notification type</i>		<i>The courtesy quote does not</i>
Label Creation		<i>reflect fuel surcharge and does</i>
Delivery		<i>not necessarily reflect all</i>
<i>notification recipients</i>		<i>accessorial charges.</i>
toddanten@quinnemanu...		
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Commercial Invoice

<b>date of export</b> 03/27/08		<b>export reference</b>		
<b>shipper/exporter</b> Todd Anten (01604) Quinn Emanuel Trial Lawyers 51 Madison Ave 22nd FLR New York , NY 10010 US		<b>consignee</b> Clothing Company S.p.A. Clothing Company S.p.A. via Bonisiolo 15 Zerman di Mogliano Veneto TV , 31020 IT 390415972311		
<b>country of export</b> US		<b>buyer other than consignee</b>		
<b>country of ultimate destination</b>				
<b>exporting carrier</b> FedEx				
<b>waybill</b> 798406287840		<b>currency of sale</b> USD		
<b>marks and numbers</b>	<b>number of packages</b> 1	<b>total gross weight</b>	<b>cubic volume</b>	
<b>description (country of manufacture)</b>		<b>quantity</b>	<b>unit price</b>	<b>total amount</b>
Documents -- Summons and complaint.				0 USD
I declare that all the information contained in this invoice is true and correct.  Signed <u>1-N GA</u>  Date <u>03/28/08</u>		Items total		0.00
		Packing costs		
		Freight costs		27.79
		Transportation costs		
		Handling		
		Insurance costs		
		Assists		
		Additional fees		
Duties and taxes				
Total invoice total				